

SEP 22 2006

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Docket No.: 1016.P001 US

September 22, 2006

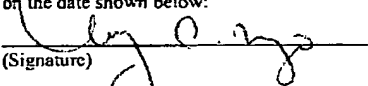
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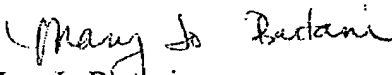
Inventor(s): David A. Holly
Title: APPARATUS AND METHOD FOR WARPING A LOOM
Appln No.: 10/665,694
Filing Date: September 18, 2003
Docket No. 1016.P001 US
Examiner: Sutton, Andrew W.
Art Unit: 3765
Confirmation No.: 6234

Enclosed herewith for filing is as follows:

1. Transmittal Letter (in duplicate)
2. Petition to Withdraw Holding of Abandonment Based on Failure to Receive Notice of Allowance (9 pages)
3. Credit Card Payment Form in the amount of \$1000.00

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:	
	
(Signature)	
Joy C. Ngo	
(Printed Name of Person Signing Certificate)	
September 22, 2006	
(Date)	

Respectfully submitted,


Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,321

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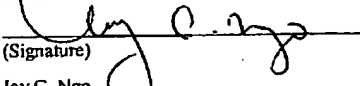
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David A. Holly
Title: Apparatus and Method for Warping a Loom
Serial No.: 10/665,694 Filing Date: September 18, 2003
Examiner: Sutton, Andrew W. Group Art Unit: 3765
Docket No.: 1016.P001 US Confirmation No.: 6234

Irvine, California
September 22, 2006

MAIL STOP PETITION
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE NOTICE OF ALLOWANCE

Dear Sir:

This paper is being filed in response to a routine status check on July 31, 2006 regarding the above-mentioned application during which Applicant's attorney noted that a Notice of Allowance issued by the Office on April 21, 2006 had not been received by Applicant's attorney. The application went abandoned because Applicant did not receive and therefore did not respond to the Notice of Allowance.

Applicant hereby petitions for a withdrawal of the holding of abandonment of this application under 37 CFR 1.181(a). (See Manual of Patent Examining Procedure (MPEP) Section 711.03(c)(I)(A)).

In all applications handled by Applicant's attorney's firm, Office Actions and Notices received from the Patent Office that require a response are entered on the front of the application's file as well as in a computerized docketing system called "IPMASTER" that is commercially available through Thomson-West, Inc. The Office Actions/Notices are placed in the file, and the file is given to the responsible attorney. Applicant's attorney notes the due

-1 of 2-

Serial No. 10/665,694

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date for response on her personal calendar in Microsoft's Outlook software program. Applicant's attorney has searched the file jacket, her office, her calendar, the docketing system, and her assistant's office and did not find a copy of the Notice or any other evidence that the Notice had been received.

Enclosed herewith are copies of the front of the file for the above-referenced application showing the dates of all Office Actions and Notices received from and responses sent to the U.S. Patent Office. Copies of the records from Applicant's attorney's calendar and docketing system are further enclosed herewith.

A copy of the payment of the Issue Fee is also enclosed herewith.

Withdrawal of the holding of abandonment and entry of the payment of the issue fee is respectfully requested.

No petition fee is believed to be required under 37 CFR 1.181 because this petition is being filed within 3 months of July 21, 2006, which is the final date by which the Issue Fee was to be paid.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (571) 273-8300 on the date shown below:

(Signature)

Joy C. Ngo

(Printed Name of Person Signing Certificate)

September 22, 2006

(Date)

Respectfully submitted,

Mary Jo Bertani

Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,312

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June 2006							July 2006						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
4	5	6	7	8	9	10	2	3	4	5	6	7	8
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			June 1		2
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Done: RFOA due 1023.P001US
 Issue fee due 1072.P003USC1
 RFOA due 1072.P004USC1 (2 mo
 1017.P102US Appeal Brief due
 RNMP due 1015.P102US

[illegible]

Friday, August 18, 2006

PATENT CASE HISTORY FOR Docket Number**1016.P001 US**

Regular

Original Filing

National

ApplicationNumber 101665694 **CountryName** United States**ApplicationDate** 9/18/2003**ClientName****PatentNumber** **AttorneyName** Mary Jo Bertani**GrantDate** **CurrentOwnerName****Title** Apparatus and Method for Warping a Loom **InventorName** **AssignmentDate**

David A. Holly

ActionDueDate	ActionDescription	CompletedDate	TakenDate	Notes
1/13/2006	Response 1st OA - final deadli	10/12/2005		
3/18/2005	Published	3/15/2005		
9/18/2004	Foreign filing deadline	10/1/2004		
3/18/2004	Foreign filing - 6 month remin	10/1/2004		
6/18/2004	Foreign filing - 9 month remin	10/1/2004		
8/18/2004	Foreign filing - 11 month remi	10/1/2004		
1/18/2005	Redacted Publication Deadline	10/1/2004		
	No Foreign Filing	10/1/2004		
	1st Office Action Mailing Date	7/13/2005		
10/13/2005	Response to 1st office action	10/12/2005		

Patent Case History Report

Page 1 of 2

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Friday, August 18, 2006

PATENT CASE HISTORY FOR Docket Number

12/18/2003	Info Discl. Statement	9/18/2003
12/13/2005	Reponse first OA - second exte	10/12/2005
6/30/2006	Notice of Appeal Due	2/23/2006
	Final Rejection	12/30/2005
2/28/2006	Response to provoke advisory a	2/23/2006
3/30/2006	Final rejection due	2/23/2006
4/30/2006	Final rejection - 1st extensio	2/23/2006
5/30/2006	Final rejection - 2nd extensio	2/23/2006
6/30/2006	Final rejection deadline	2/23/2006
3/30/2006	Appeal due	2/23/2006
4/30/2006	Appeal due - 1st extension	2/23/2006
5/30/2006	Appeal due - 2nd extension	2/23/2006
11/13/2005	Response first OA - 1st extens	10/12/2005

Patent Case History Report

Page 2 of 2

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Docket No.: 1016.P001 US**KOESTNER BERTANI LLP
U.S. PATENT APPLICATION**

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Client: David A. Holly			Client Ref. No.: HOLLY.P001 US																																									
Assignee: n/a			Assignee State of Incorporation: n/a																																									
Entity Status: <input type="checkbox"/> Large <input checked="" type="checkbox"/> Small			Date of Change:																																									
Assignment Received:		Recorded:	Reel/Frame:	Forwarded to Client:																																								
Bucket Accompanies File: <input type="checkbox"/> Yes																																												
Related: U.S. Cases	Serial No.:	Filed:	Docket No.:																																									
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<table border="1"> <thead> <tr> <th colspan="3">OFFICE ACTIONS</th> <th colspan="2">Response Mailed</th> </tr> <tr> <th>PTO Mail Date</th> <th>Due Date</th> <th>LTC</th> <th>PTO</th> <th>LTC</th> </tr> </thead> <tbody> <tr> <td>7/13/2005</td> <td>10/13/2005</td> <td>7/20/2005</td> <td>10/12/2005</td> <td>10/15/2005</td> </tr> <tr> <td>12/30/2005</td> <td>2/28/2006</td> <td>1/3/2006</td> <td>2/23/2006</td> <td>3/2/2006</td> </tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>					OFFICE ACTIONS			Response Mailed		PTO Mail Date	Due Date	LTC	PTO	LTC	7/13/2005	10/13/2005	7/20/2005	10/12/2005	10/15/2005	12/30/2005	2/28/2006	1/3/2006	2/23/2006	3/2/2006																				
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Foreign Applications Filed In:																																												
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Client: **DAVID A. HOLLY**First Inventor: **Holly, David A.**Docket No.: **1016.P001 US****BEST AVAILABLE COPY**